

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No. 18-23089-GLT
	:	Chapter 13
MARTHA BELL,	:	
<i>Debtor.</i>	:	
MARTHA BELL,	:	Related to Dkt. No. 73
<i>Movant,</i>	:	
v.	:	
RONDA J. WINNECOUR, TRUSTEE,	:	
<i>Respondent.</i>	:	

ORDER

Presently before the Court is the *Motion to Extend Time to File Appeal* filed by Debtor, Martha Bell.¹ Debtor's motion seeks an extension of time to file an appeal of this Court's April 11, 2019 *Order* dismissing her chapter 13 bankruptcy case, as she is apparently imprisoned and has yet to receive her case file from her bankruptcy counsel.²

Debtor had previously filed a *Motion to Reconsider* this same order.³ The *Motion to Reconsider* was received by the Court on April 22, 2019 and is currently set for a hearing on June 5, 2019. Federal Rule of Bankruptcy Procedure 8002(b)(1) provides that "[i]f a party files in the bankruptcy court any of the following motions . . . the time to file an appeal runs for all parties from the entry of the order disposing of the last such remaining motion." Included among the list

¹ Dkt. No. 73

² Dkt. No. 50.

³ Dkt. No. 52.

of motions that toll the appeal period is a motion “for relief under Rule 9024 if the motion is filed within 14 days after the judgment is entered.”⁴

In other words, the time to file an appeal is extended by the timely filing of a motion to reconsider, such as the one filed by Debtor here. Since the time to file an appeal has not passed, and seemingly will not pass until at least June 5, 2019, there is no basis for the *Motion to Extend Time to File Appeal* currently before the Court. When the relief sought by a motion is unnecessary because it has already been obtained, such motions are properly considered to be moot.

Based upon the foregoing, it is hereby **ORDERED, ADJUDGED, and DECREED**, that:

1. The *Motion to Extend Time to File Appeal* [Dkt. No. 73] filed by Debtor is **DENIED** as moot.

Dated: May 17, 2019



GREGORY L. TADDONIO
UNITED STATES BANKRUPTCY JUDGE

Case Administrator to Mail to:
Debtor
Rodney D. Shepherd, Esq.
Ronda J. Winnecour, Esq.
Office of the U.S. Trustee

⁴ F.R.B.P. 8002(b)(1)(B).

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Martha Bell
Debtor

Case No. 18-23089-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lkat
Form ID: pdf900

Page 1 of 1
Total Noticed: 3

Date Rcvd: May 20, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 22, 2019.

db +Martha Bell, 204 Castle Drive, West Mifflin, PA 15122-2931
+Martha Bell, PB0149, SCI Muncy, P.O. Box 180, Muncy, PA 17756-0180
+Martha Bell, SCI-MUNCY, Number PB0149, PO Box 33028, St. Petersburg, FL 33733-8028

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 22, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 17, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Cenlar FSB as servicer for LOANDEPOT.COM, LLC
bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Rodney D. Shepherd on behalf of Debtor Martha Bell rodsheph@cs.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 6